

ATTORNEY DOCKET NO.

10321-P011C1D2

PATENT

Serial No. 10/027,671



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: Colbert, et al.
Serial No.: 10/027,671
Filed: December 21, 2001
Confirmation No: 1673
Art Unit: 1754
Examiner: Peter J. Lish
For: METHOD FOR CUTTING SINGLE-WALL CARBON NANOTUBES

Mail Stop: Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE TO EXAMINER REGARDING CORRECT THE INVENTORSHIP

Dear Sir:

This Notice is being filed concurrently with payment of the Issue Fee. This Notice is to advise the Patent Examiner that a Petition under 37 C.F.R. § 1.48 to correct the inventorship of this application is being filed with the Petitions Branch of the PTO. Attached is a copy of the Petition as filed for the reference of the Examiner.

- 1 -

NOTICE TO EXAMINER REGARDING
PETITION UNDER 37 C.F.R. § 1.48
TO CORRECT THE INVENTORSHIP


ATTORNEY DOCKET NO.
11321-P011C1D2

PATENT
Serial No. 10/027,671

Should the Examiner have any questions in relation to this document, Applicant respectfully requests that Applicant's attorney be called at the below listed number if it is believed that such a discussion would be helpful in resolving any problems or questions.

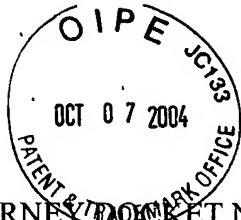
Respectfully submitted,
WINSTEAD SECHREST & MINICK P.C.
Attorneys for Applicant

Date: 10/4/04

By: 
Ross Spencer Garsson
Reg. No. 38,150

P.O. Box 50784
Dallas, Texas 75201
Phone: 512.370.2870
Fax: 214.745.5390

Dallas_1 4041729v.1



ATTORNEY DOCKET NO.
11321-P011C1D2

PATENT
Serial No. 10/027,671



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: Colbert, et al.
Serial No.: 10/027,671
Filed: December 21, 2001
Confirmation No: 1673
Art Unit: 1754
Examiner: Peter J. Lish
For: METHOD FOR CUTTING SINGLE-WALL CARBON NANOTUBES

Mail Stop: Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 C.F.R. § 1.48 TO CORRECT THE INVENTORSHIP

Dear Sir:

This petition under 37 C.F.R. § 1.48 is to correct the inventorship of this application. Applicant respectfully petitions the inventors be corrected to reflect the correct inventorship of this invention to the following:

Daniel T. Colbert
Hongjie Dai
Jason H. Hafner
Andrew G. Rinzler
Richard E. Smalley
Jie Liu
Kenneth A. Smith
Ting Guo
Pavel Nikolaev
Andreas Thess

The identification of the inventors specified on the original Declaration for this application was incorrect. This misidentification of the inventors was made through error and without deceptive intent.

The Official Filing Receipt for this application was issued on February 6, 2002. A corrected Declaration was filed on July 2, 2003 shortly after the error in the inventorship was discovered and the document was signed by the inventors. A Request for Corrected Filing Receipt was filed on October 22, 2003 after this office did not receive a corrected filing receipt by the PTO after its receipt of the Corrected Declaration. A Response to Request for Corrected Filing Receipt was issued by the PTO on November 12, 2003. This Response indicated that a Petition to Correct the Inventorship was required to correct the inventorship of this application. This Petition is being filed as soon as practicable after signature of all the required documents. Accordingly, this document is being timely filed under 37 CFR § § 1.116 and 1.312.

Attached to this Request are the following documents as specified in 37 CFR § 1.48:

1. A signed statement from all of the inventors indicating that the error in the inventorship occurred without deceptive intention on their part;

2. A copy of the Amended Declaration and Power of Attorney signed by all ten (10) inventors and filed with the PTO on July 2, 2003;

3. A copy of the Assignment signed by all ten (10) inventors and recorded with the Assignment Branch of the PTO on May 16, 2003 at Reel 014070 Frame 0372;

4. A copy of the Consent for Correction of Inventors, signed by Peter L. Schuerman, Acting Director, Office of Technology Transfer on behalf of Assignee, William Marsh Rice University;

5. Statement Under 37 CFR § 3.73(b), signed by Peter L. Schuerman, Acting Director, Office of Technology Transfer on behalf of Assignee, William Marsh Rice University;

6. Power of Attorney and Correspondence Address Indication Form, signed by Peter L. Schuerman, Acting Director, Office of Technology Transfer on behalf of Assignee, William Marsh Rice University; and

7. Supplemental Application Data Sheet reflecting all inventor information.

Applicant hereby requests that the inventor list and order of the inventors be changed to reflect the inventors and their order as specified above.

In the event this petition is granted, Applicant further respectfully requests the change be noted in the patent application and the file sent to the Application Processing Division for correction on the file wrapper label and the PALM data base regarding inventorship. MPEP § 605.04(g). Attached is a copy of the Official Filing Receipt with the changes to the filing receipt noted in red.

Enclosed is the Petition Fee in the amount of \$130.00. It is believed that no additional fees are due. However, the Director is hereby authorized to deposit any overpayment and debit any further charges to Deposit Account Number 23-2426 of Winstead Sechrest & Minick P.C.

ATTORNEY DOCKET NO.
11321-P011C1D2

PATENT
Serial No. 10/027,671

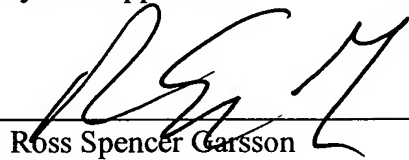
Applicant respectfully requests that Applicant's attorney be called at the below listed number if it is believed that such a discussion would be helpful in resolving any problems or questions.

Respectfully submitted,
WINSTEAD SECHREST & MINICK P.C.
Attorneys for Applicant

Date: _____

12/4/04

By: _____


Ross Spencer Garsson
Reg. No. 38,150

P.O. Box 50784
Dallas, Texas 75201
Phone: 512.370.2870
Fax: 214.745.5390

Dallas_1 4041646v.1